



General Assembly

Amendment

January Session, 2017

LCO No. 8986



Offered by:
SEN. KELLY, 21st Dist.

To: Subst. Senate Bill No. 807

File No. 244

Cal. No. 148

"AN ACT INCREASING THE MINIMUM NET WORTH OF AND SECURITY MAINTAINED BY PREFERRED PROVIDER NETWORKS, AND MAKING MINOR AND TECHNICAL CHANGES TO CERTAIN INSURANCE-RELATED STATUTES."

1 "Section 1. Subsection (a) of section 2 of substitute house bill 7126 of
2 the current session, as amended by House Amendment Schedule "A",
3 is repealed and the following is substituted in lieu thereof (*Effective*
4 *January 1, 2018*):

5 (a) On and after January 1, 2018, each transportation network
6 company shall register annually with the Commissioner of
7 Transportation on a form prescribed by the commissioner. The
8 registration form shall include: (1) The transportation network
9 company's name, business address and telephone number; (2) if the
10 company is registered in another state, the name, address and
11 telephone number of the company's agent for service of process in this
12 state; (3) the name, address and telephone number of a person at the
13 company who will serve as the main contact person for the
14 commissioner; and (4) information sufficient to demonstrate, to the

15 commissioner's satisfaction, that the company is in compliance with
16 the provisions of this section and sections 3 to 5, inclusive, of [this act]
17 substitute house bill 7126, as amended by House Amendment
18 Schedule "A", and any regulations adopted pursuant to subsection (j)
19 of section 3 of [this act] substitute house bill 7126, as amended by
20 House Amendment Schedule "A". Each transportation network
21 company seeking initial registration shall submit with its registration
22 form filed under this section a nonrefundable registration fee of [fifty]
23 five thousand dollars. Each registration shall be renewed annually. The
24 nonrefundable fee for such renewal shall be five thousand dollars. The
25 registrant shall file amendments to the registration reporting to the
26 commissioner any material changes in any information contained in
27 the registration not later than thirty calendar days after the registrant
28 knows or reasonably should know of the change.

29 Sec. 2. Subsection (a) of section 5 of substitute house bill 7126 of the
30 current session, as amended by House Amendment Schedule "A", is
31 repealed and the following is substituted in lieu thereof (*Effective*
32 *January 1, 2018*):

33 (a) A transportation network company driver or a transportation
34 network company on the driver's behalf shall procure and maintain
35 [an] primary automobile liability insurance [policy] that recognizes
36 that the driver is a transportation network company driver, or
37 otherwise uses a vehicle to transport passengers for compensation, and
38 provides coverage for the driver as follows:

39 (1) For the period during which the driver is connected to the
40 transportation network company's digital network and is available to
41 receive requests for prearranged rides but is not engaged in the
42 provision of a prearranged ride: (A) [Automobile] Primary automobile
43 liability insurance coverage of at least (i) fifty thousand dollars for
44 damages by reason of bodily injury to, or the death of, any one person,
45 (ii) one hundred thousand dollars for damages by reason of bodily
46 injury or death per accident, and (iii) twenty-five thousand dollars for
47 property damage; and (B) uninsured and underinsured motorist

48 coverage in accordance with the provisions of section 38a-336 of the
49 general statutes; and

50 (2) For the period during which the driver is engaged in the
51 provision of a prearranged ride: (A) [Automobile] Primary automobile
52 liability insurance coverage of at least one million dollars for damages
53 by reason of bodily injury, death or property damage per accident; and
54 (B) uninsured and underinsured motorist coverage in accordance with
55 the provisions of section 38a-336 of the general statutes.

56 Sec. 3. Section 13b-99 of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective October 1, 2017*):

58 (a) Upon the granting of a certificate of public convenience and
59 necessity as provided in section 13b-97, the holder thereof may apply
60 to the Commissioner of Motor Vehicles for the registration of any
61 taxicab of which the holder is the owner or lessee and which is to be
62 used as specified in such certificate, and the Commissioner of Motor
63 Vehicles shall have jurisdiction over the registration of any taxicab and
64 its exterior lighting equipment and over the licensing of its operator.
65 Each registered taxicab shall have [a permanently attached electric
66 rooftop light] an electric light attached to the rooftop of the taxicab.
67 Each registered taxicab shall indicate, in [three-inch type permanently]
68 type affixed to the outside of such taxicab, the phone number of the
69 company operating such taxicab.

70 (b) Each such taxicab shall be inspected, biennially, at the time of
71 renewal of registration of such taxicab, by a repairer or limited repairer
72 licensed and authorized by the Commissioner of Motor Vehicles to
73 perform such inspections. The commissioner shall set a fee for such an
74 inspection.

75 (c) Each such taxicab shall be exempt from the provisions of
76 subsection (d) of section 14-100a.

77 (d) The Commissioner of Motor Vehicles shall adopt regulations, in
78 accordance with chapter 54, to carry out the purposes of this section.

79 The Commissioner of Motor Vehicles shall consult with the
80 Commissioner of Transportation before adopting any regulation
81 concerning the attachment of a rooftop light to a taxicab under
82 subsection (a) of this section.

83 Sec. 4. Subsection (h) of section 5 of substitute house bill 7126 of the
84 current session, as amended by House Amendment Schedule "A", is
85 repealed and the following is substituted in lieu thereof (*Effective*
86 *January 1, 2018*):

87 (h) (1) An insurance company that excludes coverage pursuant to
88 subsection (g) of this section shall have no duty to defend or indemnify
89 any claim against a transportation network company driver for which
90 coverage is expressly excluded in such driver's automobile liability
91 insurance policy. If an insurance company defends or indemnifies a
92 claim against a transportation network company driver for which
93 coverage is expressly excluded in such driver's automobile liability
94 insurance policy, the insurance company shall have a right of
95 subrogation against other insurance companies that provide
96 automobile liability insurance coverage to such driver to satisfy the
97 requirements of subsection (a) of this section.

98 (2) Nothing in this section shall be construed to invalidate or limit
99 an exclusion contained in an automobile liability insurance policy,
100 including any such policy in use or approved for use in this state prior
101 to January 1, 2018, that excludes coverage for vehicles used to
102 transport property or passengers for a fee or available for hire by the
103 public.

104 [(3) In the event of a claim against a transportation network
105 company driver in which there is disagreement between such driver's
106 insurance company and the transportation network company's
107 insurance company as to which insurance company has the duty to
108 defend, the insurance company issuing the transportation network
109 company's automobile insurance policy shall have the duty to defend
110 such claim.]"